

City of Westminster

GENERAL MUNICIPAL ELECTION

CANDIDATE HANDBOOK
NOVEMBER 6, 2012

City of Westminster

November 6, 2012

General Municipal Election

Candidate Handbook and Resource Guide

Presented by the City of Westminster
City Clerk's Office

THE 2012 CANDIDATE'S HANDBOOK FOR THE GENERAL ELECTION IS INTENDED TO PROVIDE GENERAL INFORMATION FOR CANDIDATES AND COMMITTEES, AND DOES NOT HAVE THE FORCE AND EFFECT OF LAW, REGULATION OR RULE. IT IS DISTRIBUTED WITH THE UNDERSTANDING THAT THE WESTMINSTER CITY CLERK'S OFFICE IS NOT RENDERING LEGAL ADVICE. THEREFORE, THE HANDBOOK IS NOT A SUBSTITUTE FOR LEGAL COUNSEL FOR THE INDIVIDUAL, ORGANIZATION OR CANDIDATE USING IT.

WE STRONGLY RECOMMEND THAT ANY PROSPECTIVE CANDIDATE OBTAIN LEGAL ADVICE, TO ASSIST IN COMPLYING WITH APPLICABLE CALIFORNIA LAWS, INCLUDING THE CALIFORNIA ELECTIONS CODE AND CALIFORNIA GOVERNMENT CODE.

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Section 1 – General Information

November 6, 2012 * General Municipal Election
Candidate Handbook and Resource Guide
Presented by the City of Westminster
City Clerk's Office

City of Westminster

Dear City of Westminster Elected Official Candidates,

Welcome to the City of Westminster, City Clerk's Office! Please know that we appreciate your interest in serving this great community, and look forward to assisting all interested parties during the November 6, 2012 General Municipal Election. To assist you in this process, we are pleased to provide you with the November 6, 2012 Candidate Handbook and Resource Guide. While most of the information provided is regulated by state law, we have also included general information pertaining to the City of Westminster. In an effort to be sensitive to environmental concerns, we are hoping that the digital format of this handbook and resource guide is useful, though there are paper documents that require completion.

The City Clerk's Office seeks to provide courteous and professional services in a fiscally responsible manner. We are dedicated to accurately recording and archiving the actions of the City Council, Successor Agency to the Westminster Redevelopment Agency, Housing Authority and Westminster Public Financing Authority; providing information and support to the public, City Council, City staff and constituents in a timely manner; maintaining and updating the Westminster Municipal Code; administer contracts and the city-wide records management program; as the local filing officer accept statement of economic interest and campaign statements; and as the local election official, in consolidation with the County of Orange, administer the election process in accordance with federal, state, and local law.

After reviewing the information provided, please feel free to contact the FPPC at 1-866-ASK-FPPC (1-866-275-3772) or myself should you have any questions. Thank you for your interest in serving the City of Westminster and best wishes for a successful campaign.

Sincerely,

Robin L. Roberts, MMC City Clerk

Rroberts@westminster-ca.gov

City Clerk's Office (714) 548-3237

Direct Line (714) 548-3177

City of Westminster

General Information and Frequently Asked Questions

Election Schedule and Consolidation – The City of Westminster conducts elections on the first Tuesday of November, of every even numbered year, in consolidation with the statewide general elections. On June 13, 2012 the Mayor and City Council approved a Resolution requesting the City of Westminster to consolidate with the County of Orange Registrar of Voters Office for the November 6, 2012 General Municipal Election.

Notice of Election – On June 13, 2012 the Mayor and City Council approved a Resolution calling for the election of a **Mayor** for a two-year (2) term and two (2) **Council Members** for a four (4) year term each.

Candidate Eligibility – Candidates must be residents and registered voters of the City of Westminster at the time nomination papers are issued. Confirmation of candidate registration status is completed in conjunction with the Registrar of Voters office.

Elected Official Compensation – Pursuant Section 2.040.080 of the Westminster Municipal Code, elected official compensation is currently in the amount of \$955.50 per month for the Office of Mayor and \$850.50 per month for Council Members.

Term Limits/Campaign Contributions – Currently the City of Westminster does not impose term limits, and candidates follow state law regarding the campaign contribution requirements.

City Council Meetings – Pursuant to Section 2.04.010 of the Westminster Municipal Code, there are two regular meetings of the City Council held on the second and fourth Wednesday of each month at 7 p.m. City Council meetings are televised live on local access channels and streamed live (and archived) on the City's website.

City Hall Hours of Operation – Currently City Hall is open Monday through Thursday from 7:30 am to 5:30 pm and Friday's alternate between open from 7:30 am to 4:30 pm and closed every other Friday.

Westminster City Council - Mayor Margie L. Rice (two year term expiring in 2012); Mayor Pro Tem Tri Ta (four year term expiring in 2014); Council Member Frank G. Fry (four year term expiring in 2012); Council Member Andy Quach (four year term expiring in 2014); and Council Member Tyler Diep (four year term expiring in 2012).

LITERATURE REQUIREMENTS

§ 16, Elections Code

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

MASS MAILING REQUIREMENTS

§ 84305, Government Code

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

PENAL PROVISIONS – ELECTION CAMPAIGNS

§ 18303, Election Code

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

§ 91000, Government Code

(a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor.

(b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars (\$10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

§ 91001(a), Government Code

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General.

DEFINITION OF MASS MAILING AND SENDER

§ 18435, California Code of Regulations

(a) A "mass mailing" has been made when over two hundred substantially similar pieces of mail have been sent within a calendar month.

(b) The sender, as used in Government Code Section 84305, is the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable under Government Code Sections 84200-84217.

(c) For purposes of this section to "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment:

(1) To any person for the design, printing, postage, materials or other costs (including salaries, fees, or commissions) of the mailing; or

(2) As a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(d) The identification required by Section 84305 shall be preceded by the words "Paid for by." These words shall be presented in the same size and color as the identification required by Section 84305, and shall be immediately adjacent to and above or immediately adjacent to and in front of the required identification.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82041.5 and 84305, Government Code.

§ 18435.5, California Code of Regulations

(a) Section 84305.5 requires a slate mailer to identify the slate mailer organization or committee sending the slate mailer, and to designate by an asterisk (*) each candidate and each ballot measure supported or opposed in a slate mailer for which payment of \$100 or more has been received by the organization or committee (either from the candidate, ballot measure committee, or from any other person "at the behest" of a candidate or ballot measure committee as defined in Regulation 18225.7).

(b) To ensure that it is easily legible, the Notice to Voters required by Section 84305.5 shall appear with a reasonable degree of color contrast between the background and the statement and must appear on a plain background, not superimposed over an illustration or a patterned background. Examples of a reasonable degree of color contrast that would meet the standard required by Section 84305.5 are when the disclaimer is printed in black text on a white background or a similar degree of color contrast between the background and the text of the disclaimer.

(c) **Slate Mailers in Multiple Languages.** The Notice to Voters in a slate mailer shall appear in English. In addition, if all or a significant portion of the slate mailer appears in a language other than English, the Notice to Voters must also appear in that language.

(d) In addition to applying to slate mailers sent by traditional mail, the slate mailer identification and disclaimer requirements of Section 84305.5 apply to slate mailers distributed electronically.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84305.5, Government Code.

IMPORTANT TELEPHONE NUMBERS/WEBSITES

ORANGE COUNTY REGISTRAR OF VOTERS

GENERAL INFORMATION

(714) 567-7600

TDD (Hearing Impaired)

(714) 567-7608

FAX

(714) 567-7556

WEBSITE

www.ocvote.com

ABSENT VOTER DIVISION

(714) 567-7600

(Absentee Ballot Applications, Information)

CAMPAIGN DISCLOSURE DIVISION

(714) 567-7558

(Financial Disclosure Statements, Information)

CAMPAIGN MATERIALS DIVISION

(714) 567-7586

(Maps, Precinct Information)

(Voter List, Street Index, Information on CD)

(714) 567-7615

CANDIDATE FILING DIVISION

(714) 567-7600

(Filing Requirements for Office)

VOTER REGISTRATION DIVISION

(714) 567-7600

(Voter Registration Forms, Information)

OFFICE OF THE SECRETARY OF STATE

ELECTIONS DIVISION

(916) 657-2166

FAX

(916) 653-3214

(General Information, Filing for State/Federal Offices)

WEBSITE

www.sos.ca.gov

POLITICAL REFORM DIVISION

(916) 653-6224

(Committee ID Number, Termination)

FAX

(916) 653-5045

FAIR POLITICAL PRACTICES COMMISSION

TECHNICAL ASSISTANCE DIVISION (Mon -Thurs, 8 - 5)

(866) 275-3772

FAX

(916) 322-0886

(Campaign Disclosure, State Contribution

Limits, Conflict of Interest Disclosure)

WEBSITE

www.fppc.ca.gov

ENFORCEMENT DIVISION

(866) 275-3772

(File Complaint under Political Reform Act)

STATE FRANCHISE TAX BOARD

(800) 852-5711

AUTOMATED INFORMATION

(800) 338-0505

(Committee Tax Status, Tax Deductible Contributions

Charitable Non-Profit Groups, General Information)

WEBSITE

www.ftb.ca.gov

CA RELAY SERVICE -- TDD (800) 822-6268

(800) 735-2922

FEDERAL ELECTION COMMISSION

(800) 424-9530

(Federal Campaign Disclosure, Contributions from National

Banks, National Corporations, Foreign Nationals) WEBSITE

www.fec.gov/

GENERAL INFORMATION

Registered voters may call the Registrar of Voters office at (714) 567-7600 or access election general information, including polling locations, on the County's web site: <http://www.ocvote.com>.

Links to the County's web site:

Election information in English: <http://www.ocvote.com>

Election information in Spanish: <http://www.ocvote.com/spanish>

Election information in Vietnamese: <http://www.ocvote.com/vietnamese/>

Election information in Chinese: <http://www.ocvote.com/chinese>

Election information in Korean: <http://www.ocvote.com/korean>

ELECTION NIGHT RESULTS

Orange County uses a central location for tallying votes. All ballots are tabulated in the Registrar of Voters Tally Center located at 1300 S. Grand Avenue, Bldg. C, Santa Ana.

The vote counting procedure is open to public viewing. Unofficial results are available throughout the evening of the election in the Registrar of Voters office beginning at approximately 8:05 p.m. and continuing until all precinct ballots have been tallied. Results may also be obtained by calling the Registrar of Voters Office at (714) 567-7600 or visiting their web site (www.ocvote.com)

Election Calendar

General Municipal Election

Tuesday, November 6, 2012

July 16, 2012	First day to receive and file nomination papers. Nomination papers are to contain not less than 20 nor more than 30 valid signatures. A valid signature is a signature of a registered voter within the City of Westminster city limits.
July 31, 2012	Last day to file Semi-Annual Campaign Expenditure Statements
August 10, 2012	Last day to file Nomination Paper, Ballot Designation Worksheet, Form 700 and optional Candidate Statement, unless there is an extension
August 11-20, 2012	Public Review period for Candidate Statements and Ballot Designations
August 15, 2012	Extended filing deadline. Candidate filing is only extended if an incumbent ELIGIBLE FOR REELECTION <u>does not file</u> nomination documents prior to 5:00 p.m., August 10, 2012. Incumbents <u>are not</u> eligible to file during the extended period.
August 16, 2012	Secretary of State determines order of names on the ballot. Available at the Secretary of State website: www.sos.ca.gov and on the Registrar of Voters website at www.ocvote.com .
October 5, 2012	Last day to file First Pre-Election Campaign Expenditure Statement (7/1/12 to 9/30/12)
October 25, 2012	Last day to file Second Pre-Election Campaign Expenditure Statement. (10/1/12 to 10/20/12)
24 Hour Reports	Late Contribution Statements required within 24 hours (10/21/12-11/5/12)
November 6, 2012	Election Day. Polls open 7:00 a.m. to 8:00 p.m.
December 12, 2012	Potential date that successful candidates will be sworn into office.
January 31, 2012	Last day to file Semi-Annual Campaign Expenditure Statements.

SERVICES TO CANDIDATES (Registrar of Voters)

MAPS

A set of precinct maps is located on our public counter. If you wish to purchase maps of the district in which you are a candidate, our Map Unit at (714) 567-7586, will supply you with the information needed to order maps.

REGISTRATION FORMS

For candidates and committees wishing to conduct registration drives to register voters, registration forms are available at the Registrar's office from the Voter Registration Specialist. You may obtain the quantity of registration forms you deem necessary, upon availability. You will be asked to complete a Statement of Distribution form at the time the forms are issued to you. For further information, please call (714) 567-7600.

COMPUTER PRODUCTS

Registered Voter File: Candidates may purchase the registered voter file on CD-ROM in text format. The file is in alphabetical sequence and can be ordered with the names of all voters in Orange County or just the voters in a particular city or district. Call (714) 567-7615 for more information. The Registrar of Voters office does not provide technical support.

INDICES (WALKING LISTS): All candidates are entitled to purchase indexes. These are printed lists of registered voters by precinct, listed by address with the street names arranged alphabetically and street numbers in numerical order for a given street name.

Each candidate may purchase up to two copies (sets) of indexes for his/her own use or the use of his/her committee. These may be a complete set, including all precincts within the district in which the candidate is running, or a partial set, including some of the precincts in the district. Indexes sell for 50 cents per thousand names or portion thereof. Indexes may be ordered by filling out the proper form at the Registrar of Voter's office or by writing a letter to the Registrar of Voter's office, requesting indexes for a certain district. The cost of the product is payable in advance at the time the product is requested. For further information, please call (714) 567-7615.

The candidate must complete a written request form containing a signed declaration that the data purchased will be used only for election purposes. Products are usually available within 3-4 days of placing the order (depending on job scheduling). For further information, please call (714) 567-7615.

VOTE-BY-MAIL BALLOT APPLICATIONS

The Secretary of State shall prepare and distribute to appropriate elections officials a uniform application format for a vote-by-mail voter's ballot which conforms to the requirements of section 3006. All individuals, organizations and groups who distribute applications for a vote-by-mail voter's ballot shall follow this format.

§ 3007

If you choose to distribute applications for vote-by-mail ballots, you will be asked to complete a Statement of Distribution Plans before receiving a camera-ready copy of the application. You will be given a list of the application requirements and the Elections Code sections covering penal provisions.

Westminster Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 2 ADMINISTRATION AND PERSONNEL](#)[Chapter 2.04 CITY COUNCIL](#)**2.04.100 Terms of office for city councilmembers and mayor.**

Pursuant to Section 36503.5, or any successor provision, of the California Government Code, the general municipal election for all elected city officers shall be consolidated with the statewide general election on the first Tuesday after the first Monday of November in each even-numbered year. There shall be an elected mayor, who shall serve a two-year term. There shall be four elected councilmembers, who shall each serve a four-year term. (Ord. 2362 § 4, 2003)

17.330.025 Temporary Signs**A. Permitted Types.** Permitted temporary signs on private property include:

- Banners
- Pennants
- Flags
- "Future Development" signs
- Tract directional signs
- Commercial "for rent" or "for lease" signs
- Political signs

Please refer to Article 7 for definitions of temporary signs.

B. General Requirements. Temporary signs on private property shall be allowed only upon issuance of a temporary sign permit, which shall be subject to the following requirements:

1. **Term and general standards.** A temporary sign permit shall allow the use of a temporary sign in accordance with the following terms and standards:
 - a. *Banners, pennants, and flags.* Not to exceed 90 days during any calendar year. A temporary sign permit shall expire on December 31 of the year in which it is issued. There shall be no carry-over of unused term allotment into the succeeding year. Only one 90-day temporary sign-use period within any calendar year shall be allowed for each business premises and the 90-day period may be divided into no more than 3 display periods within any calendar year. However, if a new business license holder occupies premises that have been vacant for a period of at least 15 days during a calendar year, the new license holder shall be entitled to the use of a temporary sign for up to 90 days. A single temporary banner, pennant, or flag permit may be issued and a single fee paid for multiple display periods not to exceed a total of 90 days during the calendar year, if the dates of the display periods and the message to be displayed during each period are known and are shown on the permit. If the dates of the additional display periods and the message to be displayed are not shown on the permit, then additional permits and fees will be required for any subsequent display periods. Refer to Table 3-11 and Section 17.330.085.B.7 for banner provisions.
 - b. *Future development.* Not to exceed 180 days during the first permit period, and not to exceed 90 days for any subsequent periods, provided that a finding can be made that there is diligent progress on the development. No temporary sign permit for future development shall be issued until all preliminary development approvals have been received, except that grading or construction permits need not be issued. Future development signs shall be removed upon issuance of a certificate of occupancy for the development, notwithstanding any time remaining on the permit. Renewal fees for a future development sign shall be one-half the original issuance fee. A future development sign shall not exceed an area of 40 square feet per sign face and an overall height of 10 feet. Such sign may be constructed of wood or metal or both. Not more than one such sign per 500 feet of street frontage shall be permitted, set back at least 10 feet from the ultimate street right-of-way line. Such sign shall be nonilluminated. A V-shaped sign may be considered one sign,

provided that the distance between the legs of the V as viewed from above the sign looking down does not exceed 4 feet and the property has a minimum frontage of 500 feet. Otherwise, a V-shaped sign shall be considered two signs.

- c. *Tract directional.* Not to exceed 180 days during the first permit period, and not to exceed 90 days for any subsequent renewal periods, except that if the cumulative display periods exceed one year, any further sign permit extensions shall be granted by the Commission, subject to conditions of approval. Such sign shall be located on a lot other than the property where the residential subdivision is located, provided that the owner of such lot has given written permission for such display. A tract directional sign advertising a tract not located in the City is prohibited. A tract directional sign shall not be a future development sign. Renewal fees for a tract directional sign shall be one-half the original issuance fee. The development standards for a tract directional sign shall be the same as for a future development sign. A tract directional sign shall be located on an arterial street.
 - d. *Commercial "for rent" or "for lease" sign.* Not to exceed one year during the first permit period, and not to exceed 180 days for any subsequent renewal period, for a cumulative total of two years or upon the rental or lease of 90 percent of the space available in the development, whichever occurs first. Any extensions beyond two years shall be approved by the Commission. The development standards for a commercial "for rent" or "for lease" sign shall be the same as for a future development sign.
 - e. *Political signs.* All political signs shall be removed within 30 days after the election without leaving debris. Political signs shall only be located on private property with the permission of the property owner. All such signs shall maintain a setback of at least five feet from any public right-of-way. Political signs shall comply with all requirements of this Chapter applicable to temporary signs except that they shall not be required to obtain a permit from the City. A political sign with dimensions greater than three feet by three feet constructed of paper, vinyl, cloth, or plastic may be mounted to a light-weight framework of wood or metal to provide rigidity or support. A free-standing political sign with dimensions of three feet by three feet or larger, and mounted upon, attached to, or painted on a solid wood, plastic, metal or plaster sheet or backing may be erected in the City, provided that the sign has the proper depth of footings and is properly braced per the Uniform Building Code according to the design characteristics of such sign. A political sign shall not exceed 40 square feet in area.
2. *Other conditions.* Temporary signs shall be subject to the requirements outlined in Table 3-8 and 3-11, except that political signs shall not be subject to the requirements outlined in Table 3-11.

17.330.030 Exempt Signs

The following signs shall be exempt from regulation under this Chapter:

- A. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- B. Any sign located at least three feet inside a building, not attached to an exterior window or door, or within an enclosed mall.

Electioneering & Political Sign Information (6/10)

Electioneering (Source – Elections Code)

18370. No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under Section 3018, or an **elections** official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (d) Do any electioneering as defined by Section 319.5.

As used in this section, "100 feet of a polling place, a satellite location under Section 3018, or an **elections** official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

18371.

- (a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.
- (b) Any person who knowingly violates this section is guilty of a misdemeanor.
- (c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section **18370**, or by any other provision of law.

Temporary Political Signs (Source – Building and Professions Code – Outdoor Advertisement Act)

5405.3. Nothing in this chapter, including, but not limited to, Section **5405**, shall prohibit the placing of temporary political signs, unless a federal agency determines that such placement would violate federal regulations. However, no such sign shall be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway. A temporary political sign is a sign which:

- (a) Encourages a particular vote in a scheduled election.

Electioneering & Political Sign Information (6/10)

(b) Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.

(c) Is no larger than 32 square feet.

(d) Has had a statement of responsibility filed with the department certifying a person who will be responsible for removing the temporary political sign and who will reimburse the department for any cost incurred to remove it.

Temporary Signs – Political (Source – Westminster Municipal Code)

17.330.025 (e). Political signs. All political signs shall be removed within 30 days after the election without leaving debris. Political signs shall only be located on private property with the permission of the property owner. All such signs shall maintain a setback of at least five feet from any public right-of-way. Political signs shall comply with all requirements of this Chapter applicable to temporary signs except that they shall not be required to obtain a permit from the City. A political sign with dimensions greater than three feet by three feet constructed of paper, vinyl, cloth, or plastic may be mounted to a light-weight framework of wood or metal to provide rigidity or support. A free-standing political sign with dimensions of three feet by three feet or larger, and mounted upon, attached to, or painted on a solid wood, plastic, metal or plaster sheet or backing may be erected in the City, provided that the sign has the proper depth of footings and is properly braced per the Uniform Building Code according to the design characteristics of such sign. A political sign shall not exceed 40 square feet in area.

for less than four seconds. No message center display may be placed within 1,000 feet of another message center display on the same side of the highway. No message center display may be placed in violation of Section 131 of Title 23 of the United States Code.

(2) Any message center display located beyond 660 feet from the edge of the right-of-way of an interstate or primary highway and permitted by a city, county, or city and county on or before December 31, 1988, is in compliance with Article 6 (commencing with Section 5350) and Article 7 (commencing with Section 5400) for purposes of this section.

(3) Any message center display legally placed on or before December 31, 1996, which does not conform with this section may continue to be maintained under its existing criteria if it advertises only the business conducted, services rendered, or goods produced or sold upon the property upon which the display is placed.

(4) This subdivision does not prohibit the adoption by a city, county, or city and county of restrictions or prohibitions affecting off-premises message center displays which are equal to or greater than those imposed by this subdivision, if that ordinance or regulation does not restrict or prohibit on-premises advertising displays, as defined in Chapter 2.5 (commencing with Section 5490).

(e) Advertising displays erected or maintained pursuant to regulations of the director, not inconsistent with the national policy set forth in subdivision (f) of Section 131 of Title 23 of the United States Code and the standards promulgated thereunder by the Secretary of Transportation, and designed to give information in the specific interest of the traveling public.

§ 5405.3. Temporary political signs

Nothing in this chapter, including, but not limited to, Section 5405, shall prohibit the placing of temporary political signs, unless a federal agency determines that such placement would violate federal regulations. However, no such sign shall be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

A temporary political sign is a sign which:

- (a) Encourages a particular vote in a scheduled election.
- (b) Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- (c) Is no larger than 32 square feet.
- (d) Has had a statement of responsibility filed with the department certifying a person who will be responsible for removing the temporary political sign and who will reimburse the department for any cost incurred to remove it.



December 6, 2011

Vicki Morgan
Code Enforcement Manager
City of Westminster
8200 Westminster Blvd.
Westminster, CA 92683

Re: Campaign Signs on Utility Poles

Dear Ms. Morgan:

With election season on the horizon, Southern California Edison Co. (SCE) is once again reminding that it is unlawful to post election materials on utility poles.

This practice violates California Penal Code 556.1 and 591, which prohibits posting political placards and leaflets, or any other information or advertisements regarding community events, garage sales, or lost animals. Listed as a misdemeanor, the Penal Code states that the offense is punishable by a fine of \$500 and a maximum five-year imprisonment.

The law protects SCE linemen and their crews who use the poles in their work. Nails or other fasteners used to hold signs create a hazard for these employees.

We certainly appreciate your cooperation in advising political candidates and campaign workers to refrain from placing signs and placards on utility poles.

Sincerely,


Jenelle Godges
Region Manager
Local Public Affairs

7333 Bolsa
Westminster, CA 92683

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM



Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed no sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 654-6473.

Enclosure

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM



**STATEMENT OF RESPONSIBILITY FOR TEMPORARY
POLITICAL SIGNS**

Election Date: _____ June _____ November Other: _____

Candidate's Name: _____

Office sought or Proposition Number: _____

County where sign(s) will be placed: _____

Number of signs to be placed: _____

RESPONSIBLE PARTY:

Name: _____

Address: _____

Phone Number (Include Area Code) _____

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

SIGNATURE OF RESPONSIBLE PARTY

DATE

Mail Statement of Responsibility to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Section 2 – Candidate Instructions

November 6, 2012 * General Municipal Election
Candidate Handbook and Resource Guide
Presented by the City of Westminster
City Clerk's Office

NOMINATION PAPER INSTRUCTIONS

At the time you take out your nomination papers, the City Clerk will verify that you are a registered voter in the City of Westminster. After positive verification, your name will be typed onto the nomination paper; the paper will be signed by the City Clerk, or designee, and issued to you for circulation. Listed below are key instructions to remember.

Circulating Your Nomination Paper:

- ◆ Nomination papers require a "Declaration of Circulator" affidavit of the person who circulated it to the effect that he or she saw written all the signatures appended thereto, and knows that they are the signatures of the persons whose names they purport to be. Only one person may circulate the document. You may circulate your own nomination paper.
- ◆ The "Declaration of Circulator" on the back of the nomination paper must contain the dates between which the paper was circulated, and the circulator's signature.
- ◆ The nomination paper must be signed by not less than 20, nor more than 30 registered voters of the City of Westminster. It is strongly recommended that you obtain 30 signatures in order to provide for those that may be invalidated due to their registration status.
- ◆ Make sure that the voters signing your paper sign and print their complete names, as well as their residence address in the City.
- ◆ Pursuant to Elections Code Section 10220, "No voter may sign more than one nomination paper for the same office, **and in the event the voter does so, that voter's signature shall count only on the first nomination paper filed which contains the voter's signature. Each seat on the governing body is a separate office.**"
- ◆ You may sign your own nomination paper.
- ◆ It is recommended that you file your papers early, in order to have the opportunity to be issued a supplemental nomination paper, should you have less than 20 signatures that qualify.

Completing the "Affidavit of Nominee and Oath or Affirmation of Allegiance".

- ◆ It is suggested that this section of the nomination paper be completed at the time of filing in the presence of the City Clerk. Since State law strictly prohibits certain words to be used as designations, it is suggested that you confer with the City Clerk before recording your designation on the form.
- ◆ Your ballot designation is restricted to no more than three words describing your principal profession, vocation, or occupation. (Please refer to the Elections Code Sections pertaining to ballot designation in this section of the Handbook.)
- ◆ While it is suggested that the "Affidavit" be completed in the presence of the City Clerk, it may also be completed in the presence of a Notary Public.
- ◆ Your "Oath or Affirmation of Allegiance" is required to be executed in the presence of the City Clerk or a Notary Public in order to assure the voters that in the event you are elected, you will accept the office and faithfully discharge the duties of Mayor or Member of the City Council.
- ◆ You may withdraw your nomination paper up to and including the last day for filing your papers.

Nomination Paper Instructions (Continued)

Deadline for Nomination Papers:

Your nomination paper may only be circulated between July 16, 2012 at 7:30 a.m. and August 10, 2012 at 5:00 p.m. The deadline to submit your nomination paper is August 10, 2012 at 5:00 p.m. In the event an incumbent fails to file for nomination, the deadline is extended to August 15, 2012 at 5:00 p.m. An incumbent may not file nomination papers during the extended period.

Order of Candidates on Ballot:

On August 16, 2012, the Secretary of State will conduct a random alphabetical drawing which will determine the order in which the qualified candidates' names will appear on the ballot. The same order will be used in the sample ballot pamphlet for those candidates filing a Candidate's Statement to be printed in the pamphlet. Access to the random draw will be made available on the Secretary of State's website: www.ss.ca.gov and on the Registrar of Voters website at www.ocvote.com

BALLOT DESIGNATIONS FOR CANDIDATES
(§ 13107; see also Secretary of State Ballot Designation Regulations,
Cal. Code Regs. Tit.2, § 20710, et seq. – entire page)

With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

- (1) Words designating the elective city, county, district, state or federal office which the candidate holds at the time of filing the nomination documents to which he/she was elected by vote of the people, or to which he/she was appointed, in the case of a superior court judge. There is no word limit for the official title of the office. A candidate may choose to include the name of his/her elective office with another profession, vocation, or occupation, but that ballot designation is limited to no more than three words.
- (2) The word "incumbent" if the candidate is a candidate for the same office which he/she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a Superior Court Judge, was appointed to that office. **The word "incumbent" must be used as a noun and must stand alone.**
- (3) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." **The words "appointed incumbent" must stand alone.** However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he/she holds and to which he/she was appointed, as a nominated candidate, in lieu of an election pursuant to Education Code sections 5326 and 5328 or Elections Code sections 7228, 7423, 7673, 10229, or 10515.
- (4) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. **For purposes of this section, all California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of school and special districts and political subdivisions are not geographical names.** Punctuation shall be limited to the use of a comma. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

"Principal", as that term is used in Elections Code §13107 (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. **The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute. The ballot designation must accurately state the candidate's principal professions, vocations, or occupations and must be factually accurate and descriptive, and neither confusing nor misleading.**

"Profession" means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to: law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a "profession", as defined in Elections Code § 13107 (a)(3) include, but are not limited to: Attorney, physician, accountant, architect, and teacher.

"Vocation" means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his/her livelihood and spends major portion of his/her time. As defined, vocations may include, but are not limited to: Religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a "vocation", as defined in Elections Code § 13107 (a)(3) include, but are not limited to: Minister, priest, mother, father, homemaker, dependent care provider, carpenter, plumber, electrician, and cabinetmaker.

"Occupation" means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an "occupation" as defined in Elections Code § 13107 (a)(3) include, but are not limited to: Rancher, restaurateur, retail salesperson, manual laborer, construction worker, computer manufacturing executive, military pilot, secretary, and police officer.

If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his/her "principal" professions, vocations, or occupations if (a) the candidate has maintained his/her license current as of the date he/she filed his/her nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (b) the status of the candidate's license is active at the time he/she filed his/her nomination documents. A candidate who holds a professional, vocational, or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his/her "principal" professions, vocations, or occupations if (a) the candidate's licensure status is "inactive" at the time the candidate files his/her nomination documents, or (b) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his/her nomination documents.

A candidate may engage in multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:

(1) The three-word limitation specified in Elections Code § 13107 (a)(3); (2) each such proposed profession, vocation or occupation shall be separately considered and must independently qualify as a "principal" profession, vocation, or occupation; and (3) when multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/").

(5) **"Community Volunteer"** means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following: (1) A charitable, educational, or religious organization as defined by the U.S. Internal Revenue Code § 501(c)(3); (2) a governmental agency; or (3) an educational institution. The activity or service must constitute substantial involvement of the candidate's time and effort such that the activity or service is the sole, primary, main, or leading professional, vocational or occupational endeavor of the candidate. **The words "Community Volunteer" must stand alone.** If the volunteer work is considered an "avocation" (see below under "Unacceptable Ballot Designations"), then "Community Volunteer" may not be used as the ballot designation.

(6) The use of the word **"retired"** is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. These factors will be taken into consideration: (a) Prior to retiring from his/her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than five years; (b) the candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension; (c) the candidate has reached at least the age of 55 years; (d) the candidate voluntarily left his/her last professional, vocational, or occupational position; (e) if the candidate requests a ballot designation that he/she is a retired public official, he/she must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office; (f) the candidate has not had another more recent, principal profession, vocation, or occupation; (g) the candidate's retirement benefits are providing him/her with a principal source of income; and (h) the candidate possesses another more recent, intervening principal profession, vocation, or occupation.

UNACCEPTABLE BALLOT DESIGNATIONS:

(1) The following types of activities are distinguished from professions, vocations, and occupations and are **not** acceptable as ballot designations pursuant to Elections Code § 13107 (a)(3):

- (a) **Avocations:** An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and is in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to: Hobbies, social activities, volunteer work, and matters pursued as an amateur. Example: (a) If a person is a PTA President (not a paid position), and does not have a principal profession, vocation, or occupation, then that person could use "Community Volunteer" as his/her ballot designation but could not use "PTA President". "PTA President" is considered a "status (see #1c: Statuses); (b) If the person is a PTA President (not a paid position), and also has a principle profession, vocation, or occupation, he/she must use his/her principle profession, vocation, or occupation as his/her ballot designation; (c) If the person is a PTA

President (not paid position) and also has a principle profession, vocation, or occupation, he/she **could not** use both the principle profession, vocation, or occupation and "Community Volunteer" (even if the designation meets the three-word requirement) because "Community Volunteer" must stand alone.

(b) **Pro Forma Professions, Vocations, and Occupations:** Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to: Honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess, and the like.

(c) **Statuses:** A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to: Veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, mother of eleven, activist, patriot, taxpayer, concerned citizen, Kiwanis Club President, PTA President, husband, and wife.

- (2) A ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include, but are not limited to: Ret. Army General; Major USAF, Retired; and City Attorney, Retired.
- (3) No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name per Elections Code section 13106. Examples include, but are not limited to: Ph.D., M.A., B.A., B.S., and M.D.
- (4) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, trade name, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to: Acme Company President, Universal Widget Inventor, Director, Smith Foundation, UCLA Professor, and the like.
- (5) Pursuant to Elections Code § 13107 (a)(2), a ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to: Senior, emeritus, specialist, magnate, outstanding, leading, expert, virtuous, eminent, best, exalted, prominent, famous, respected, honored, honest, dishonest, corrupt, lazy, advocate, and the like.
- (6) A ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed, or judicial office previously held by the candidate. These include, but are not limited to: Ex-, former, past, and erstwhile. Examples of impermissible designations include: Former Congressman, Ex-Senator, and Former Educator.

- (7) A ballot designation indicating that a candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in § 13107(a)(1).
- (8) A ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
- (9) A ballot designation which uses a word or words referring to a racial, religious or ethnic group or implies any ethnic or racial slurs or ethnically or racially derogatory language.
- (10) If the candidate is a member of the clergy, the candidate may not make reference to his/her specific denomination. However, the candidate may use his/her clerical title as a ballot designation (e.g. Rabbi, Pastor, Minister, Priest, Bishop, Deacon, Monk, Nun, Imam, etc. Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:
 - (a) It would mislead the voter.
 - (b) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
 - (c) It abbreviates the word "retired" or places it following any word or words which it modifies.
 - (d) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of word "retired."
 - (e) It uses the name of any political party, whether or not it has qualified for the ballot.
 - (f) It uses a word or words referring to a racial, religious, or ethnic group.
 - (g) It refers to any activity prohibited by law.

IMPORTANT: Each candidate who submits a ballot designation **shall file a Ballot Designation Worksheet** that supports the use of that ballot designation by the candidate. The Ballot Designation Worksheet shall be filed with the Registrar of Voters at the same time that the candidate files his/her Declaration of Candidacy. The Ballot Designation Worksheet is public record and shall be available for inspection and copying.
§ 20711

If a candidate requests a change to his or her ballot designation pursuant to Elections Code § 13107(e), that request shall be accompanied by a new Ballot Designation Worksheet.
§ 20711

IN THE EVENT THAT A CANDIDATE FAILS TO FILE A BALLOT DESIGNATION WORKSHEET, NO DESIGNATION SHALL APPEAR UNDER THE CANDIDATE'S NAME ON THE BALLOT.
§13107.3

If upon checking the nomination documents, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

The candidate shall, within three days from the date of receipt of the notice, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation. **In the event the candidate fails to provide an alternate designation, no designation will appear after the candidate's name.**

No ballot designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official to change an unacceptable designation.

The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request. The written request must be accompanied by a ballot designation worksheet. § 13107(e)

In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements. Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length

BALLOT ORDER OF CANDIDATES

The Secretary of State shall conduct a drawing of the letters of the alphabet, the result of which shall be known as a randomized alphabet. The procedure shall be as follows: Each letter of the alphabet shall be written on a separate slip of paper, each of which will be folded and inserted into a capsule. Each capsule shall be opaque and of uniform weight, color, size, shape, and texture. The capsules shall be placed in a container, which shall be shaken vigorously in order to mix them thoroughly. The container then shall be opened and the capsules removed at random one at a time. As each is removed, it shall be opened and the letter on the slip of paper read aloud and written down. The resulting random order of letters constitutes the randomized alphabet, which is to be used in the same manner as the conventional alphabet in determining the order of all candidates in all elections. For example, if two candidates with the surnames Campbell and Carlson are running for the same office, their order on the ballot will depend on the order in which the letter M and R were drawn in the randomized alphabet drawing. The drawing shall be open to the public. A drawing will take place for each election date. **The date of the drawing for the General Election will be August 16, 2012, 11:00 a.m.** § 13112

The following contests use the State randomized alphabet in determining the ballot order of the candidates: State Senate, State Assembly, Municipal, School District, and Special District. Exception: If a State Senate or State Assembly District is located in more than one county, then the county randomized alphabet order is used in determining the ballot order of the candidates for that contest. For those contests, the Registrar of Voters' office will conduct a drawing of the letters of the alphabet for the General Election at the same time the Secretary of State's office is conducting its drawing – August 16, 2012, 11:00 a.m. § 13111(i)

The ballot order of candidates in some contests is rotated by Assembly District. These contests include Congressional, County offices encompassing the entire county, and Judicial. § 13111(i)

RESOLUTION NO. 4410

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012.

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, DOES HEREBY RESOLVE; DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1: GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Westminster on November 6, 2012, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2: FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, candidates statements will be translated into all languages required by the County of Orange. The County is required to translate candidate's statements into the following languages: Spanish, Vietnamese, Chinese and Korean.
- B. The County will mail separate sample ballots and candidates statements in Spanish, Vietnamese, Chinese or Korean to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

SECTION 3: PAYMENT.

A. Translations

The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (A) and (B) of Section 2 above pursuant to Federal and State law.

B. Printing

The candidate shall be required to pay the cost of printing the candidate's statement in the voter's pamphlet in all required languages pursuant to Federal and State law.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended) and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate, and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4: MISCELLANEOUS.

- A. All translations shall be provided by professionally-certified translators.
- B. The City Clerk shall allow bold type, underlining, capitalization, indentations, bullets, and leading hyphens to the same extent and manner as allowed in previous City elections.
- C. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5: ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 6: That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 7: That all previous resolutions establishing council policy on payment for candidates statements are repealed.

SECTION 8: That this Resolution shall apply only to the election to be held on November 6, 2012, and shall then be repealed.

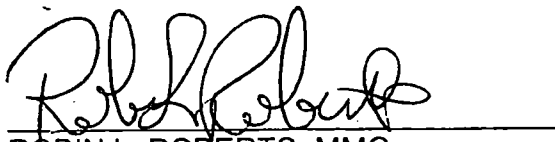
SECTION 9: That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED THIS 13th day of June, 2012, by the following vote:

AYES:	COUNCIL MEMBERS:	RICE, TA, QUACH, DIEP
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	FRY


MARGIE L. RICE, MAYOR

ATTEST:


ROBIN L. ROBERTS, MMC
CITY CLERK

APPROVED AS TO FORM:


RICHARD D. JONES, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF WESTMINSTER)

I, Robin L. Roberts, hereby certify that I am the duly appointed City Clerk of the City of Westminster, California; and that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Westminster, California, held on the 13th day of June, 2012.



ROBIN L. ROBERTS, MMC
CITY CLERK

CANDIDATE'S STATEMENT OF QUALIFICATIONS

Each candidate for **nonpartisan elective office** in any local agency, including any city, county, city and county, or district, may prepare a Candidate's Statement on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself/herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. **The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.** The candidate must sign the statement before it is filed in the office of the Registrar of Voters when his/her nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary. The statement shall be filed in the office of the elections official no later than the 88th day before the election, **August 10, 2012, 5:00 p.m.**, if it is for an election for which nomination papers are not required to be filed.

§ 13307

The statement **may be withdrawn, but not changed**, during the period for filing nomination papers and until **August 11, 2012, 5:00 p.m.**, the next working day after the close of the nomination period.

§ 13307

NOTE: In the event that the nomination period for a particular office is extended because an incumbent eligible to be elected did not file nomination papers, a Candidate's Statement for that particular office **may be withdrawn, but not changed**, during the extended nomination period and until **5:00 p.m. of August 16, 2012**, the next working day after the close of the extended nomination period.

§ 13307

A Candidate's Statement of Qualifications may make no reference to another candidate. In addition to the restrictions set forth in Section 13307, any Candidate's Statement of Qualifications submitted pursuant to Section 13307 shall be limited to a recitation of the candidate's own personal background and qualifications, and **shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.** The elections official shall not cause to be printed or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section.

§ 13308

The Registrar of Voters will send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate that is prepared pursuant to this section. The statement of each candidate will be printed in type of uniform size and darkness, and with uniform spacing.

§ 13307(b)

All Candidates' Statements shall remain confidential until the expiration of the filing deadline.

§ 13311

The Registrar of Voters will estimate the total cost of printing and handling of the Candidate's Statement filed pursuant to this section, and will require each candidate having a statement to pay in advance his/her estimated pro rata share as a condition of having his/her statement included in the voter's pamphlet. The candidate must also sign a deposit agreement at the time the statement is filed. A copy of the signed deposit agreement and signed statement will be given to the candidate. The Registrar of Voters will determine the cost for each candidate and will refund any excess amount paid within 30 days of the election. An invoice will be sent if any additional amount is required to be paid by the candidate.

If a candidate's contest does not appear on the ballot (due to being a contest whose candidates may be appointed in lieu of election if the number of candidates nominated does not exceed the number of candidates to be elected from that district), the Candidate's Statement payment will be refunded.

In the event that a candidate pays for a statement by check and the check is returned by the bank due to insufficient funds, the candidate will have 24 hours to pay for the statement by credit, card, cash, money order or certified check, or the statement will not be printed in the voter's pamphlet.

§ 13307

NOTE: Pursuant to minority language provisions of the Federal Voting Rights Act, Orange County is required to provide election materials in the Chinese, Korean, Vietnamese and Spanish languages in addition to English. The materials covered by this Act include Candidates' Statements. Therefore, all estimated costs include translating and printing of Candidates' Statements in the Chinese, Korean, Spanish and Vietnamese languages. These materials will be provided to voters who have requested Chinese, Korean, Spanish and Vietnamese language election materials.

Nothing in the foregoing shall be deemed to make any statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet.

§ 13307

Before the nomination period opens, the local agency for that election shall determine whether a charge shall be levied against that candidate for the Candidate's Statement sent to each voter. This decision shall not be revoked or modified after the seventh day prior to the opening of the nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or his/her representative at the time he/she picks up the nomination papers.

§ 13307

For all Candidates' Statements filed on or before **August 10, 2012**, the public review period is **August 11, 2012 through August 20, 2012, 5:00 p.m.** For all Candidates' Statements filed during the extended filing period, the public review period is **August 16, 2012 through August 27, 2012** at the Registrar of Voters office, in conformance with Elections Code section 13313.

CANDIDATE'S STATEMENT OF QUALIFICATIONS FORMATTING GUIDELINES

The Registrar of Voters office has a semi-automated system for Sample Ballot input/layout of Candidates' Statements of Qualifications. Due to the volume of statements and printing deadlines, it is necessary to have a standardized format for Candidate Statements. We have prepared the following guidelines to assist candidates in the preparation of their statements.

1. The following paragraph styles are acceptable with this system.

INDENTED PARAGRAPHS:

Xxxxx xxxxx xxxxxxxxxxxxxxx xxxxx xxxxx. X xxxx xx xxxxxxxxxxxxxxx xxxxxxxxxxxxxxx
xxxxxxxxxxxx xxxxxxx xxxxxxxxxxxxxxx xx xxx xxxxx. Xxx xxxxx xxxxxxx xxxxx xx xx.

Xxxx xxxxxxxxx xx x x xxxxxxxxxxxxxxx x xxxxxx xxxxx. Xxx xxxxxxx xxxxxxx xxxxx xx xxx
xxxxx xxx xxxxxxx. Xx xxxxx xxx.

BLOCK PARAGRAPHS:

Xxxxx xxxxxxx xxxxx. Xxxx x xx xxxx xxxxxxxxxxxxxxx xxx. Xxxx xxx xxx xxxxxxxxxxxxxxx
xxxx. X xxx xxxxx xxx x xx xxx. Xxx xxx xxx xxxxxxx xxxxx xxx.

Xxx xxxxxxx xxx. Xx xxx xxxxxxx xxxxxxx xxxxx. X xxx xxxxx xxxxxxx xxxxx xxx
x xx xxx xxx. Xxx xxxx xxxxxxxxxxx xxxxx xxx. Xxx xxxxx xxxxxxx xxxxxxx xxxxx.

DO NOT USE ANY PARAGRAPH/FORMAT STYLE OTHER THAN THOSE LISTED ABOVE.

2. All statements must be submitted on our form or typed or printed by automated equipment. **DO NOT PRINT ANY STATEMENT ON LINED PAPER.**
3. NOTE: Name, age and occupation lines are not included in the word count. **The words reflected in the "Occupation" field must follow the ballot designation guidelines listed in this handbook.**
4. Do not underline or **bold** WORDS. § 13307
5. Words may NOT be all CAPITAL letters.
6. Do not use *italics* or type styles to highlight portions of the statement. § 13307
7. Do not use different type sizes. § 13307
8. A 200-word statement must fit on one-quarter of a sample ballot pamphlet page. A 400-word statement must fit on one-half page of a sample ballot pamphlet page. If your statement exceeds this limitation we will be forced to adjust your format to fit in the space allowed.

9. To offset paragraphs, you may block indent. **However, do not use bullet points, stars, asterisks, or numbers that function as bullet points.**

10. All statements are printed in the sample ballot pamphlet with the following titles which are not included in the word count:

**NAME OF DISTRICT
TITLE OF OFFICE**

Use these general guidelines to assist you in the preparation of your statement. There are other requirements regarding the content of your statement that are outlined in this Candidate's Handbook.

CHECK YOUR STATEMENT CAREFULLY FOR ERRORS IN SPELLING, PUNCTUATION, AND GRAMMAR BEFORE FILING. WITH THE EXCEPTION OF THE FORMATTING REQUIREMENTS, YOUR STATEMENT WILL BE PRINTED EXACTLY AS SUBMITTED.

**WORD COUNT STANDARD FOR CANDIDATE'S STATEMENT
OF QUALIFICATIONS
(§ 9)**

Each word shall be counted as one word except as specified on this page.

The following are the guidelines for computing the word count:

The title of the office, name, district, age, and occupation lines are not included in the word count – only the text is counted.

Punctuation marks are not included in the word count.

Symbols such as "&" (and), and "#" (number/pound) are not considered punctuation. Each symbol is counted as one word.

Dictionary words.....one word
The words "a", "the", "and", and "an" are counted as individual words.

Geographical names -- limited to cities, counties, and states.....one word
Examples: County of Orange, Orange County, Brea, and California

Abbreviations - UCLA, U.C.L.A., PTA, P.T.A., USMC, U.S.M.C.....one word

Acronyms.....one word

Regularly hyphenated words appearing in any generally available standard reference dictionary published in the United States within 10 years preceding the election. Each part of all other hyphenated words shall be counted as a separate word.....one word

Dates - all digits (4/8/98).....one word
Words and digits (April 8, 1998).....two words

Whole numbers - Digits (1 or 10 or 100, etc.).....one word
Spelled out (one or ten or one hundred).....each word counts as one word

Names of persons and things.....each word counts as one word
Gus Enright (two words); L.A. Basketball Team (three words)

Numeric combinations (1973, 18 1/2, 1971-73, 5%).....one word

Monetary amounts (if the dollar sign is used with figures - \$1,000).....one word
Spelled out (one thousand dollars).....each word counts as one word

Telephone/fax numbers.....one word

E -mail and web site addresses.....one word

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words or sentences to put the statement within the required word limit before the statement is filed. The candidate should correct any misspellings before the statement is filed.

The submitted statement must be typed. No word will be printed in "ALL CAPS", bolding or underlining. Do not use bullet points or numbers that function as bullet points to offset paragraphs. See "Candidate's Statement Formatting Guidelines" for more information. The scanning equipment used by the Registrar of Voters office to produce camera ready copy for sample ballot printing has some limitations; therefore, the style of a Candidate's Statement must conform to the sample you will be given. The statement may include a description of the candidate's education and qualifications expressed by the candidate himself/herself.

**THE PRECEDING INFORMATION SHALL NOT APPLY TO COUNTING WORDS FOR
BALLOT DESIGNATIONS UNDER SECTION 13107**

The candidate must sign and date the statement before it is filed. The candidate is required to pay the estimated cost of the statement and sign a deposit agreement at the time the statement is filed. When the statement is filed, a copy of the signed statement and the signed deposit agreement will be given to the candidate.

The statement must be filed at the same time that the Declaration of Candidacy is filed. The statement may be withdrawn, but not changed, during the period for filing nomination documents and until **5:00 p.m. on August 11, 2012**, the next working day after the close of the nomination period.

NOTE: If the nomination period is extended because an incumbent, eligible to be elected, failed to file a Declaration of Candidacy, **August 16, 2012, 5:00 p.m.**, the next working day after the close of the extended filing period for the office is the last day that a Candidate's Statement may be withdrawn, but not changed.

ALL STATEMENTS ARE CONFIDENTIAL UNTIL THE EXPIRATION OF THE FILING DEADLINE.

Section 3 – Appendix

November 6, 2012 * General Municipal Election
Candidate Handbook and Resource Guide
Presented by the City of Westminster
City Clerk's Office

**GENERAL MUNICIPAL ELECTION
NOVEMBER 6, 2012**

CANDIDATE INFORMATION SHEET

Candidate's Name (Please print)

Occupation

Address

Please provide telephone number(s) should the City give to people interested in your candidacy?

Please provide the email address where you would like election information to be sent:

Signature of Candidate

Dated

Candidate for Mayor (Two Year Term) _____

Candidate for Member of City Council (Four Year Term) _____

RECEIPT FOR CANDIDATE'S HANDBOOK

I, _____, a potential candidate for the November 6, 2012 General Municipal Election, do hereby acknowledge receipt of the materials as listed in the Table of Contents of the Candidate's Handbook, and the Nomination Paper, Ballot Designation Worksheet, Candidate Statement of Qualification Form and Statement of Economic Interests (Form 700) from the Office of the City Clerk of the City of Westminster.

Date

Signature of Candidate (or representative)

City Clerk or Assistant City Clerk

CODE OF FAIR CAMPAIGN PRACTICES

(Division 20, Chapter 5, Elections Code.)

Chapter 5. Fair Campaign Practices

Article 1. General Intent

20400. The Legislature hereby declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions

20420. As used in this Chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure, as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with § 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the Code shall read, as follows: **(See "CODE OF FAIR CAMPAIGN PRACTICES" on reverse side).**

20442. The elections official shall accept, at all times prior to the election, all completed forms which are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) **I SHALL CONDUCT** my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.

(2) **I SHALL NOT USE OR PERMIT** the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

(3) **I SHALL NOT USE OR PERMIT** any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.

(4) **I SHALL NOT USE OR PERMIT** any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.

(5) **I SHALL NOT** coerce election help or campaign contributions for myself or for any other candidate from my employees.

(6) **I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE** support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.

(7) **I SHALL DEFEND AND UPHOLD** the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Signature

Date

Printed Name

Date of Election

● **PLEASE SEE THE
CITY CLERKS OFFICE
TO RECEIVE**

● **NOMINATION PAPERS
FROM JULY 16TH TO
AUGUST 10TH, 2012**

●

BALLOT DESIGNATION WORKSHEET

This worksheet is intended to assist in the prompt evaluation of requested ballot designations.

Name of Candidate: _____

Office Sought: _____
(Including district or division number, if applicable)

Home Address: _____
(Number and street address)

(City, State and Zip Code)

Business Address: _____
(Number and street address)

(City, State and Zip Code)

Mailing Address: _____
(If different from above)

(City, State and Zip Code)

Daytime Telephone Number: _____
(area code)

Evening Telephone Number: _____
(area code)

Fax Telephone Number: _____
(area code)

E-mail: _____

Name of Attorney or Other Person Authorized to Act in Your Behalf: _____

His/Her Fax Number: _____
(area code)

Telephone Number: _____
(area code)

E-mail Address: _____

PROPOSED BALLOT DESIGNATION:

(Note: Designation must be your principal profession, vocation or occupation and may be no more than three words; however, you may use the full title of the elective office you currently hold.)

(optional)

If above not accepted, 1st alternative: _____

2nd alternative: _____

Describe what you do and why you believe you are entitled to use the requested ballot designation. If using the title of an elective office, you may submit a copy of your certificate of election or appointment.

Your Job Title: _____

Dates You Held the Position: _____

Name of Your Employer or Business: _____

Contact Person(s) Who Can Verify this Information:

Name(s): _____

Telephone Number(s): _____
(area code)

To the best of my knowledge and belief, the above-requested ballot designation(s) represent my true principal profession(s), vocation(s) and/or occupation(s) which I am entitled to use as my ballot designations pursuant to §13107 and 13107.5 of the Elections Code.

Signed and dated this _____ day of _____, in _____
(location)

Signature _____

You may attach whatever supporting documentation or exhibits you wish that you believe support your proposed ballot designation. These documents will not be returned to you, so do not submit original versions.

BALLOT DESIGNATION REQUIREMENTS

For your reference, the relevant provisions of Elections Code sections 13106, 13107 and 13107.5 are reproduced below:

13106. NO TITLE OR DEGREE

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name.

13107. BALLOT DESIGNATION REQUIREMENTS

- (a) With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:
- (1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.
 - (2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.
 - (3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
 - (4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.
- (b) Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:
- (1) It would mislead the voter.
 - (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
 - (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
 - (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."
 - (5) It uses the name of any political party, whether or not it has qualified for the ballot.
 - (6) It uses a word or words referring to a racial, religious, or ethnic group.
 - (7) It refers to any activity prohibited by law.
- (c) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.
- (1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a).
 - (2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.
- (d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.
- (e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.
- (f) In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.
- (g) Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

13107.5 USE OF "COMMUNITY VOLUNTEER"

- (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:
- (1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
 - (2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.
 - (3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.
- (b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

**CITY OF WESTMINSTER CANDIDATE STATEMENT
PAYMENT AGREEMENT**

PRINTING AND HANDLING OF THE CANDIDATE STATEMENT

TO: CITY CLERK, CITY OF WESTMINSTER

I, _____, am a candidate for the office of Mayor/Member of the City Council, at the election to be held November 6, 2012; I desire to avail myself of the benefit of Elections Code, Section 13307, regarding filing by candidates for elective offices in local agencies, cities, counties and districts of a statement of qualifications.

I understand that, pursuant to law, the City Council of the City of Westminster has determined that such candidates desiring to utilize these services shall pay to the City of Westminster the actual prorated costs of printing and handling such statements, which will be printed in compliance with the language provisions of the National Voter Registration Act.

I have been informed that the cost of the Statement of Qualifications will be approximately \$1,039. Upon request, the Office of the Registrar of Voters will make available a Spanish, Vietnamese, Chinese or Korean translation to a voter. A deposit for the appropriate amount is transmitted herewith.

I agree that if the cost exceeds the estimated amount, I will pay the balance to the City of Westminster within 30 days following notification of the amount due and if the City of Westminster thereafter commences legal action against me for the recovery of said amount, I agree to pay all costs of such action, including a reasonable attorney's fee in an amount to be fixed by the Court.

The cost estimate in this agreement is for Candidate Statements.

Any notice or billing pertaining to my statement of qualifications shall be mailed to me at the address set forth below and shall be deemed completed upon deposit in the United States mail, so addressed, first-class postage prepaid.

Date

(Signature of Candidate)

(Typed or printed name of Candidate)

Receipt for Payment

Received from _____ on _____, 2012,
(Candidate Name) (Date)

In the amount of \$1039.00 [_____] as payment for the
- (Check No.)

**estimated pro rata share of the cost of printing, handling,
translating, and mailing the candidate statement for the office
of:**

(City Council or Mayor)

Notice

The estimated pro rata share is just an approximation of the actual cost that varies from one election to another and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and will, on a pro rate basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual costs. In the event of underpayment, the City Clerk will require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid.

By _____

Title

**WAIVER
CANDIDATE STATEMENT
GENERAL MUNICIPAL ELECTION
NOVEMBER 6, 2012**

I HEREBY ACKNOWLEDGE that I may prepare and submit a Candidate's Statement to be mailed to voters with the sample ballots. I do not elect to file a Candidate Statement.

Signature of Candidate

CHECK LIST OF ITEMS TO BE RETURNED

TO THE CITY CLERK WHEN FILING AS A CANDIDATE

- ✓ Nomination Papers
- ✓ Ballot Designation Worksheet
- ✓ Candidate Statement of Qualifications (if Candidate desires to have this printed in the Voters' Pamphlet)
- ✓ Candidate Statement Payment Agreement with Payment
- ✓ Form 700 – Statement of Economic Interests
- ✓ Fair Campaign Practice Code (voluntary)